

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

SVETLANA GITerman, :  
Plaintiff : CIVIL ACTION NO. 3:16-0402  
v. :  
(JUDGE MANNION)  
POCONO MEDICAL CENTER,  
*et al.*, :  
Defendants :

**ORDER**

In accordance with the memorandum issued this same day, **IT IS  
HEREBY ORDERED THAT:**

- (1) The motion for summary judgment of PMC, (**Doc. 51**), is **GRANTED IN PART** and **DENIED IN PART**.
- (2) PMC's motion for summary judgment with respect to plaintiff's claim under Title III of the ADA, Count I of her amended complaint, (**Doc. 23**), is **GRANTED**.
- (3) PMC's motion for summary judgment with respect to plaintiff's disability discrimination claim for damages against it under Section 504 of the Rehabilitation Act, Count II of her amended complaint, (**Doc. 23**), is **DENIED**.
- (4) The motion for summary judgment of WCC, (**Doc. 55**), is **GRANTED IN PART** and **DENIED IN PART**.
- (5) WCC's motion for summary judgment with respect to

plaintiff's claim under Title III of the ADA is **GRANTED**.

(6) PMC's and WCC's motions for summary judgment with respect to plaintiff's claims for injunctive and declaratory relief against them under §504 of the RA are **GRANTED**.

(7) WCC's motion for summary judgment with respect to plaintiff's disability discrimination claim for damages against it under Section 504 of the Rehabilitation Act is **DENIED**.

(8) Plaintiff's cross-motion for summary judgment, (**Doc. 64**), with respect to her claim under Title III of the ADA against PMC is **DENIED**.

(9) Plaintiff's cross-motion for summary judgment with respect to her claim for damages under Section 504 of the Rehabilitation Act against PMC and WCC is **DENIED**.

(10) Plaintiff's claim for damages under Section 504 of the Rehabilitation Act against PMC and WCC will **PROCEED TO TRIAL**.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: January 16, 2019**

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